

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

RIVERSIDE LUNCH, INC.	)	CASE NO. 3:05CV00005
	)	
Plaintiff,	)	
	)	
v.	)	<u>REPORT AND RECOMMENDATION</u>
	)	
GILMORE MARTIN, INC.	)	
d/b/a MARTIN'S GRILL,	)	
	)	
Defendant,	)	By: B. WAUGH CRIGLER U.S. MAGISTRATE JUDGE

The plaintiff's January 26, 2005 motion for a preliminary injunction having been referred to the undersigned under authority of 28 U.S.C. § 636(b)(1)(B) and set for a hearing on May 17, 2005 and the undersigned having been informed by letter of May 12, 2005 from counsel for defendant that the parties have reached a settlement in principle of the entire case, and that the appropriate papers concluding the case would be forthcoming by the end of May, it hereby is

RECOMMENDED

that the presiding court enter an order DENYING plaintiff's motion for a preliminary injunction filed on January 26, 2005 as moot in light of the settlement reached by the parties and await the presentation of the appropriate documents for the dismissal of the action.

The Clerk of the Court hereby is directed to transmit a copy of this Report and Recommendation to all counsel of record.

ENTERED: \_\_\_\_\_  
U.S. Magistrate Judge  
\_\_\_\_\_

Date